



# GENERAL ASSEMBLY

## COMMONWEALTH OF KENTUCKY

### 2009 REGULAR SESSION

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SENATE BILL NO. 184

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FRIDAY, MARCH 6, 2009

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The following bill was reported to the House from the Senate and ordered to be printed.

RECEIVED AND FILED  
DATE March 17, 2009  
5:04 p.m.  
\_\_\_\_\_  
TREY GRAYSON  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY P. Kinsolving

AN ACT relating to reorganization.

***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

➔ Section 1. KRS 12.020 is amended to read as follows:

Departments, program cabinets and their departments, and the respective major administrative bodies that they include are enumerated in this section. It is not intended that this enumeration of administrative bodies be all-inclusive. Every authority, board, bureau, interstate compact, commission, committee, conference, council, office, or any other form of organization shall be included in or attached to the department or program cabinet in which they are included or to which they are attached by statute or statutorily authorized executive order; except in the case of the Personnel Board and where the attached department or administrative body is headed by a constitutionally elected officer, the attachment shall be solely for the purpose of dissemination of information and coordination of activities and shall not include any authority over the functions, personnel, funds, equipment, facilities, or records of the department or administrative body.

I. Cabinet for General Government - Departments headed by elected officers:

1. The Governor.
2. Lieutenant Governor.
3. Department of State.
  - (a) Secretary of State.
  - (b) Board of Elections.
  - (c) Registry of Election Finance.
4. Department of Law.
  - (a) Attorney General.
5. Department of the Treasury.
  - (a) Treasurer.
6. Department of Agriculture.

- 1 (a) Commissioner of Agriculture.
- 2 (b) Kentucky Council on Agriculture.
- 3 7. Auditor of Public Accounts.
- 4 II. Program cabinets headed by appointed officers:
- 5 1. Justice and Public Safety Cabinet:
- 6 (a) Department of Kentucky State Police.
- 7 (b) Department of Criminal Justice Training.
- 8 (c) Department of Corrections.
- 9 (d) Department of Juvenile Justice.
- 10 (e) Office of the Secretary.
- 11 (f) Office of Drug Control Policy.
- 12 (g) Office of Legal Services.
- 13 (h) Office of the Kentucky State Medical Examiner.
- 14 (i) Parole Board.
- 15 (j) Kentucky State Corrections Commission.
- 16 (k) Office of Legislative and Intergovernmental Services.
- 17 (l) Office of Management and Administrative Services.
- 18 ~~(m) Office of Public Safety Training.~~
- 19 ~~(n)~~ Office of Investigations.
- 20 (n)~~(o)~~ Department of Kentucky Vehicle Enforcement.
- 21 (o)~~(p)~~ Department for Public Advocacy.
- 22 2. Education Cabinet:
- 23 (a) Office of the Secretary.
- 24 (b) Office of Legal Services.
- 25 1. Client Assistance Program.
- 26 (c) Office of Communication.
- 27 (d) Office of Legislative and Intergovernmental Affairs.

- 1 (e) Office of Budget and Administration.
  - 2 1. Division of Human Resources.
  - 3 2. Division of Administrative Services.
  - 4 3. Division of Technology Services.
- 5 (f) Board of Directors for the Center for School Safety.
- 6 (g) Council on Postsecondary Education.
  - 7 1. Foundation for Adult Education.
- 8 (h) Department of Education.
  - 9 1. Kentucky Board of Education.
- 10 (i) Department for Libraries and Archives.
- 11 (j) Department of Workforce Investment.
  - 12 1. Office for the Blind.
  - 13 2. Office of Vocational Rehabilitation.
  - 14 3. Office of Career and Technical Education.
  - 15 4. Office of Employment and Training.
- 16 (k) Foundation for Workforce Development.
- 17 (l) Kentucky Office for the Blind State Rehabilitation Council.
- 18 (m) Kentucky Technical Education Personnel Board.
- 19 (n) Kentucky Workforce Investment Board.
- 20 (o) Statewide Council for Vocational Rehabilitation.
- 21 (p) Statewide Independent Living Council.
- 22 (q) Unemployment Insurance Commission.
- 23 (r) Education Professional Standards Board.
  - 24 1. Division of Educator Preparation.
  - 25 2. Division of Certification.
  - 26 3. Division of Professional Learning and Assessment.
  - 27 4. Division of Legal Services.

- 1           (s)   Kentucky Commission on the Deaf and Hard of Hearing.
- 2           (t)   Kentucky Educational Television.
- 3           (u)   Kentucky Environmental Education Council.
- 4        3.   Environmental and Public Protection Cabinet:
- 5           (a)   Office of the Secretary.
- 6                1.   Office of Legislative and Intergovernmental Affairs.
- 7                2.   Office of Communications and Public Outreach.
- 8                3.   Office of Regulatory Affairs.
- 9                4.   Office of Legal Services.
- 10              5.   Office of Administrative and Information Services.
- 11              6.   Office of Administrative Hearings.
- 12              7.   Office of Inspector General.
- 13              8.   Mine Safety Review Commission.
- 14              9.   Workers' Compensation Board.
- 15              10.   Kentucky State Nature Preserves Commission.
- 16              11.   Kentucky Environmental Quality Commission.
- 17              12.   Kentucky Occupational Safety and Health Review Commission.
- 18           (b)   Department for Environmental Protection.
- 19                1.   Office of the Commissioner.
- 20                2.   Division of Air Quality.
- 21                3.   Division of Water.
- 22                4.   Division of Environmental Services.
- 23                5.   Division of Waste Management.
- 24                6.   Division of Enforcement.
- 25                7.   Division of Compliance Assistance.
- 26           (c)   Department for Natural Resources.
- 27                1.   Office of the Commissioner.

2. Office of Technical and Administrative Support.

3. Division of Mine Permits.

4. Division of Mine Reclamation and Enforcement.

5. Division of Abandoned Mine Lands.

6. Division of Oil and Gas Conservation.

7. Office of Mine Safety and Licensing.

8. Division of Forestry.

9. Division of Conservation.

(d) Department of Public Protection.

1. Office of the Commissioner.

2. Division of Administrative Services.

3. Crime Victims Compensation Board.

4. Board of Claims.

5. Board of Tax Appeals.

6. Kentucky Boxing and Wrestling Authority.

7. Kentucky Horse Racing Authority.

8. Kentucky Public Service Commission.

9. Office of Alcoholic Beverage Control.

10. Office of Charitable Gaming.

11. Office of Financial Institutions.

12. Office of Housing, Buildings and Construction.

13. Office of Insurance.

(e) Department of Labor.

1. Office of the Commissioner.

2. Office of Occupational Safety and Health.

3. Office of Labor Management Relations and Mediation.

4. Office of Workplace Standards.

- 1                   5.    Office of Workers' Claims.
- 2                   6.    Workers' Compensation Funding Commission.
- 3                   7.    Kentucky Labor Management Advisory Council.
- 4                   8.    Occupational Safety and Health Standards Board.
- 5                   9.    Prevailing Wage Review Board.
- 6                   10.   Kentucky Employees Insurance Association.
- 7                   11.   Apprenticeship and Training Council.
- 8                   12.   State Labor Relations Board.
- 9                   13.   Workers' Compensation Advisory Council.
- 10                  14.   Workers' Compensation Nominating Commission.
- 11                  15.   Employers' Mutual Insurance Authority.
- 12                  16.   Division of Administrative Services.
- 13           4.    Transportation Cabinet:
- 14               (a)   Department of Highways.
- 15                   1.    Office of Program Planning and Management.
- 16                   2.    Office of Project Development.
- 17                   3.    Office of Construction and Operations.
- 18                   4.    Office of Intermodal Programs.
- 19                   5.    Highway District Offices One through Twelve.
- 20               (b)   Department of Vehicle Regulation.
- 21               (c)   Department of Administrative Services.
- 22               (d)   Department of Aviation.
- 23               (e)   Department of Intergovernmental Programs.
- 24                   1.    Office of Transportation Enhancement Programs.
- 25                   2.    Office of Rural and Secondary Roads.
- 26               (f)   Office of the Secretary.
- 27                   1.    Office of Legislative and Intergovernmental Affairs.

- 1                   2.    Office of Public Affairs.
- 2                   3.    Office of Transportation Delivery.
- 3                   4.    Office for Business and Occupational Development.
- 4                   5.    Office of Budget and Fiscal Management.
- 5                   6.    Office of Legal Services.
- 6                   7.    Office of Inspector General.
- 7                   8.    Office of the Transportation Operations Center.
- 8                   9.    Office of Personnel Management.
- 9       5.    Cabinet for Economic Development:
  - 10           (a)   Office of Administration and Support.
  - 11           (b)   Department for New Business Development.
  - 12           (c)   Department of Financial Incentives.
  - 13           (d)   Department for Existing Business Development.
  - 14           (e)   Tobacco Research Board.
  - 15           (f)   Kentucky Economic Development Finance Authority.
  - 16           (g)   Office of Research and Information Technology.
  - 17           (h)   Department of Commercialization and Innovation.
  - 18           (i)   Office of Legal Services.
  - 19           (j)   Commission on Small Business Advocacy.
- 20       6.    Cabinet for Health and Family Services:
  - 21           (a)   Department for Public Health.
  - 22           (b)   Department for Medicaid Services.
  - 23           (c)   Department for Mental Health and Mental Retardation Services.
  - 24           (d)   Kentucky Commission for Children with Special Health Care Needs.
  - 25           (e)   Office of Health Policy.
  - 26           (f)   Office of the Secretary.
  - 27           (g)   Office of Legal Services.



- 1 (h) Office of Inspector General.
- 2 (i) Office of Legislative and Public Affairs.
- 3 (j) Department for Community Based Services.
- 4 (k) Department for Disability Determination Services.
- 5 (l) Office of the Ombudsman.
- 6 (m) Department for Human Support Services.
- 7 (n) Kentucky Commission on Community Volunteerism and Service.
- 8 (o) Office of Fiscal Services.
- 9 (p) Office of Human Resource Management.
- 10 (q) Office of Technology.
- 11 (r) Office of Contract Oversight.
- 12 (s) Governor's Office of Wellness and Physical Activity.
- 13 (t) Department for Aging and Independent Living.

14 7. Finance and Administration Cabinet:

- 15 (a) Office of General Counsel.
- 16 (b) Office of the Controller.
- 17 (c) Office of Administrative Services.
- 18 (d) Office of Public Information.
- 19 (e) Department for Facilities and Support Services.
- 20 (f) Department of Revenue.
- 21 (g) Commonwealth Office of Technology.
- 22 (h) State Property and Buildings Commission.
- 23 (i) Kentucky Savings Bond Authority.
- 24 (j) Office of Equal Employment Opportunity and Contract Compliance.
- 25 (k) Kentucky Employees Retirement Systems.
- 26 (l) Commonwealth Credit Union.
- 27 (m) State Investment Commission.

- (n) Kentucky Housing Corporation.
- (o) Kentucky Local Correctional Facilities Construction Authority.
- (p) Kentucky Turnpike Authority.
- (q) Historic Properties Advisory Commission.
- (r) Kentucky Tobacco Settlement Trust Corporation.
- (s) State Board for Proprietary Education.
- (t) Kentucky Higher Education Assistance Authority.
- (u) Kentucky River Authority.
- (v) Kentucky Teachers' Retirement System Board of Trustees.

8. Commerce Cabinet:

- (a) Department of Tourism.
  - (1) Division of Tourism Services.
  - (2) Division of Marketing and Advertising.
  - (3) Division of Parks Marketing.
- (b) Kentucky Department of Parks.
  - (1) Division of Information Technology.
  - (2) Division of Personnel and Payroll.
  - (3) Division of Financial Operations.
  - (4) Division of Facilities Management.
  - (5) Division of Facilities Maintenance.
  - (6) Division of Customer Services.
  - (7) Division of Recreation.
  - (8) Division of Golf Courses.
  - (9) Division of Food Services.
  - (10) Division of Rangers.
  - (11) Division of Eastern Parks.
  - (12) Division of Southern Parks.

- 1                   (13) Division of Western Parks.
- 2           (c) Department of Fish and Wildlife Resources.
- 3                   (1) Division of Law Enforcement.
- 4                   (2) Division of Administrative Services.
- 5                   (3) Division of Engineering.
- 6                   (4) Division of Fisheries.
- 7                   (5) Division of Information and Education.
- 8                   (6) Division of Wildlife.
- 9                   (7) Division of Public Affairs.
- 10          (d) Kentucky Horse Park.
- 11                   (1) Division of Support Services.
- 12                   (2) Division of Buildings and Grounds.
- 13                   (3) Division of Operational Services.
- 14          (e) Kentucky State Fair Board.
- 15                   (1) Division of Expositions and Admission.
- 16                   (2) Division of Kentucky Fair and Exposition Center Operations.
- 17                   (3) Division of Commonwealth Convention Center.
- 18                   (4) Division of Public Relations and Media.
- 19                   (5) Division of Administrative Services.
- 20                   (6) Division of Personnel Management and Staff Development.
- 21                   (7) Division of Sales.
- 22                   (8) Division of Security and Traffic Control.
- 23          (f) Office of the Secretary.
- 24          (g) Office of Finance and Administration.
- 25          (h) Office of Legal Affairs.
- 26          (i) Office of Intergovernmental Affairs.
- 27          (j) Office of Human Resources.

- (k) Office of Public Affairs and Constituent Services.
  - (l) Office of Information Technology.
  - (m) Office of the Kentucky Sports Authority.
    - (1) Kentucky Sports Authority Board.
  - (n) Office of Creative Services.
  - (o) Office of Capital Plaza Operations.
  - (p) Office of Arts and Cultural Heritage.
  - (q) Kentucky African-American Heritage Commission.
  - (r) Kentucky Foundation for the Arts.
  - (s) Kentucky Humanities Council.
  - (t) Kentucky Heritage Council.
  - (u) Kentucky Arts Council.
  - (v) Kentucky Historical Society.
    - (1) Division of Museums.
    - (2) Division of Oral History and Educational Outreach.
    - (3) Division of Research and Publications.
    - (4) Division of Administration.
  - (w) Kentucky Center for the Arts.
    - (1) Division of Governor's School for the Arts.
  - (x) Kentucky Artisans Center at Berea.
  - (y) Martin Luther King Commission.
  - (z) Northern Kentucky Convention Center.
  - (aa) Eastern Kentucky Exposition Center.
9. Personnel Cabinet:
- (a) Office of the Secretary.
  - (b) Department for Personnel Administration.
  - (c) Office for Employee Relations.

- 1 (d) Kentucky Public Employees Deferred Compensation Authority.
- 2 (e) Office of Administrative Services.
- 3 (f) Office of Legal Services.
- 4 (g) Office of Government Training.
- 5 (h) Department for Employee Insurance.

6 III. Other departments headed by appointed officers:

- 7 1. Department of Military Affairs.
- 8 2. Governor's Office for Local Development.
- 9 3. Kentucky Commission on Human Rights.
- 10 4. Kentucky Commission on Women.
- 11 5. Department of Veterans' Affairs.
- 12 6. Kentucky Commission on Military Affairs.
- 13 7. Office of Minority Empowerment.
- 14 8. Governor's Council on Wellness and Physical Activity.

15 ➔Section 2. KRS 15A.020 is amended to read as follows:

16 (1) The Justice and Public Safety Cabinet shall have the following departments:

- 17 (a) Department of Corrections;
- 18 (b) Department of Criminal Justice Training, which shall have the following
- 19 divisions:
  - 20 1. Training Operations Division;
  - 21 2. Administrative Division; and
  - 22 3. Training Support Division;
- 23 (c) Department of Juvenile Justice, which shall have the following divisions:
  - 24 1. Division of Medical Services;
  - 25 2. Division of Western Region;
  - 26 3. Division of Central Region;
  - 27 4. Division of Eastern Region;

- 5. Division of Southeastern Region;
- ~~6. Division of Northern Region;~~
- ~~7. Division of Administrative Services;~~
- ~~7.8. Division of Program Services;~~
- ~~8.9. Division of Placement Services;~~
- ~~9.10. Division of Professional Development~~~~Division~~; **and**
- ~~10.11. Division of Community and~~ Mental Health Services ~~Division~~;
- ~~and~~
- ~~12. Community Services Division~~;

(d) Department of Kentucky Vehicle Enforcement, headed by a commissioner appointed pursuant to KRS 12.040, which shall perform functions required by KRS Chapter 281 and other state and federal laws and administrative regulations relating to commercial vehicles and vehicles for hire and which shall perform such other functions as may be assigned by the secretary. The Department of Kentucky Vehicle Enforcement shall have the following divisions:

- 1. Division of Field Operations East;
- 2. Division of Field Operations West;
- 3. Division of Special Operations; and
- 4. Division of Administrative Services;

(e) Department of Kentucky State Police, which shall have the following divisions:

- 1. Administrative Division;
- 2. Operations Division; and
- 3. Technical Services Division; and

(f) Department for Public Advocacy, which shall have the following divisions:

- 1. Protection and Advocacy Division;

- 1           2.    Division of Law Operations;
- 2           3.    Division of Trial Services; and
- 3           4.    Division of Post-Trial Services.

4   (2) Each department, except for the Department for Public Advocacy, shall be headed  
5       by a commissioner who shall be appointed by the secretary of justice and public  
6       safety with the approval of the Governor as required by KRS 12.040. Each  
7       commissioner shall be directly responsible to the secretary and shall have such  
8       functions, powers, and duties as provided by law and as the secretary may prescribe.  
9       The Department for Public Advocacy shall be headed by the public advocate,  
10      appointed as required by KRS 31.020, who shall be directly responsible to the  
11      Public Advocacy Commission. The Department for Public Advocacy is an  
12      independent state agency which shall be attached to the Justice and Public Safety  
13      Cabinet for administrative purposes only. The Justice and Public Safety Cabinet  
14      shall not have control over the Department for Public Advocacy's information  
15      technology equipment and use unless granted access by court order.

- 16   (3) The Justice and Public Safety Cabinet shall have the following offices:
- 17       (a) Office of the Secretary, which shall be headed by a deputy secretary appointed  
18          pursuant to KRS 12.050 and responsible for the direct administrative support  
19          for the secretary and other duties as assigned by the secretary, and which, with  
20          the approval of the secretary, may employ such staff as necessary to perform  
21          the duties, functions, and responsibilities of the office;
  - 22       (b) Office of Management and Administrative Services, which shall be headed by  
23          an executive director appointed pursuant to KRS 12.050 who shall be  
24          responsible to and report to the secretary and be responsible for all matters  
25          relating to human resources, state and federal grants management, including  
26          but not limited to the administration of KRS 15A.060, fiscal functions,  
27          management and daily operations of the information processing activities for

1 the cabinet, and management and daily administrative services for the cabinet;  
2 and who, with the approval of the secretary, may employ such staff as  
3 necessary to perform the duties, functions, and responsibilities of the office;

4 (c) Office of Legal Services, which shall be headed by an executive director  
5 appointed pursuant to KRS 12.050 and 12.210 to provide legal representation  
6 and services for the cabinet. The executive director shall be directly  
7 responsible to and report to the secretary and, with the approval of the  
8 secretary, may employ such attorneys appointed pursuant to KRS 12.210 and  
9 other staff as necessary to perform the duties, functions, and responsibilities of  
10 the office;

11 (d) Office of Legislative and Intergovernmental Services, which shall be headed  
12 by an executive director appointed pursuant to KRS 12.050 who shall be  
13 responsible for all matters relating to the provision of support to the Criminal  
14 Justice Council, legislative liaison services, and functions and duties vested in  
15 the Criminal Justice Council as described in KRS 15A.030. The executive  
16 director shall be directly responsible to and report to the secretary and may  
17 employ such staff as necessary to perform the duties, functions, and  
18 responsibilities of the office;

19 (e) Office of the Kentucky State Medical Examiner, which shall be headed by a  
20 chief medical examiner appointed pursuant to KRS 72.240 who shall be  
21 responsible for all matters relating to forensic pathology and forensic  
22 toxicology and other duties as assigned by the secretary. The executive  
23 director appointed pursuant to KRS 12.050 shall be responsible for all matters  
24 related to the administrative support of the Office of the State Medical  
25 Examiner. The executive director shall report directly to the secretary and with  
26 the approval of the secretary may employ such administrative support staff as  
27 necessary to perform the administrative duties, functions, and responsibilities



1 of the office. The chief medical examiner shall be directly responsible to and  
 2 report to the secretary and may employ such staff as necessary to perform the  
 3 forensic duties, functions, and responsibilities of the office;

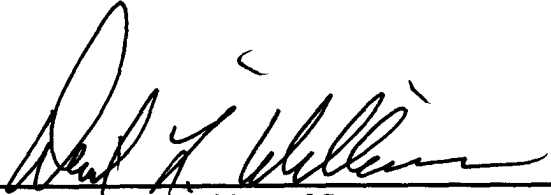
- 4 (f) Office of Drug Control Policy, which shall be headed by an executive director  
 5 appointed pursuant to KRS 12.050 who shall be responsible for all matters  
 6 relating to the research, coordination, and execution of drug control policy and  
 7 for the management of state and federal grants, including but not limited to the  
 8 prevention and treatment related to substance abuse. By December 31 of each  
 9 year, the Office of Drug Control Policy shall review, approve, and coordinate  
 10 all current projects of any substance abuse program which is conducted by or  
 11 receives funding through agencies of the executive branch. This oversight  
 12 shall extend to all substance abuse programs which are principally related to  
 13 the prevention or treatment, or otherwise targeted at the reduction, of  
 14 substance abuse in the Commonwealth. The Office of Drug Control Policy  
 15 shall promulgate administrative regulations consistent with enforcing this  
 16 oversight authority. The executive director shall be directly responsible to and  
 17 report to the secretary and may employ such staff as necessary to perform the  
 18 duties, functions, and responsibilities of the office; and

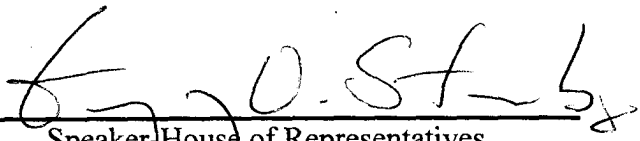
- 19 ~~(g) Office of Public Safety Training, which shall be headed by an executive~~  
 20 ~~director appointed pursuant to KRS 12.050 who shall be responsible for all~~  
 21 ~~matters relating to the construction and operation of joint usage training~~  
 22 ~~facilities at the Public Safety Training Center for the cabinet. The Department~~  
 23 ~~of Criminal Justice Training shall provide all administrative and logistical~~  
 24 ~~support for this office. The executive director shall be responsible to and~~  
 25 ~~report to the secretary for all matters relating to the construction and operation~~  
 26 ~~of joint usage training facilities at the Public Safety Training Center, and~~  
 27 ~~management, scheduling, maintenance, and daily operations of the Public~~

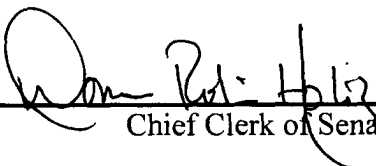
~~Safety Training Center. The executive director, with the approval of the secretary, may employ such staff as necessary to perform the duties, functions, and responsibilities of the office; and~~

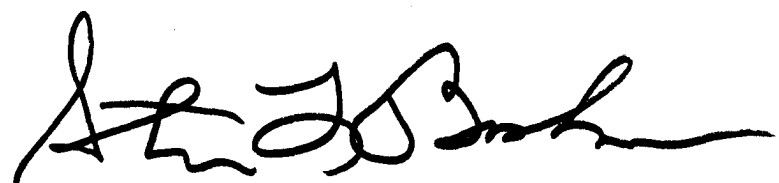
(h)} Office of Investigations, which shall be headed by an executive director appointed pursuant to KRS 12.050 who shall be responsible for investigating all complaints regarding the facilities, staff, treatment of juveniles, and other matters relating to the operation of the Justice and Public Safety Cabinet. If it appears that there is a violation of statutes, administrative regulations, policies, court decisions, the rights of juveniles who are subject to the orders of the department, or any other matter relating to the Justice and Public Safety Cabinet, the office shall report to the secretary of the Justice and Public Safety Cabinet who shall, if required, refer the matter to a law enforcement agency, Commonwealth's attorney, county attorney, the Attorney General, or federal agencies, as appropriate. The executive director shall be directly responsible to and report to the secretary and, with the approval of the secretary, may employ such staff as necessary to perform the duties, functions, and responsibilities of the office. The Office of Investigations may be used to investigate matters in which there is a suspicion of violation of written policy, administrative regulation, or statutory law within the Department for Public Advocacy only when such investigation will have no prejudicial impact upon a person who has an existing attorney-client relationship with the Department for Public Advocacy. Notwithstanding the provisions of this paragraph, investigation and discipline of KRS Chapter 16 personnel shall continue to be conducted by the Department of Kentucky State Police pursuant to KRS Chapter 16. The Office of Investigations shall conduct no other investigations.

→ Section 3. The General Assembly confirms Executive Order 2008-505, dated June 6, 2008, to the extent it is not otherwise confirmed or superseded by this Act.

  
\_\_\_\_\_  
President of Senate

  
\_\_\_\_\_  
Speaker House of Representatives

Attest:   
\_\_\_\_\_  
Chief Clerk of Senate

Approved   
\_\_\_\_\_  
Governor

Date 3-17-09